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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FILED

HERITAGE BUILDING GROUP, INC., : CIVIL ACTION
et al., :
Plaintiffs :
v. :
PLUMSTEAD TOWNSHIP, et al., : NO. 95-4424
Defendants :

AUG 9 1996
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

O R D E R

AND NOW, this 9 day of August, 1996, upon consideration of the Motion for Partial Summary Judgment filed by Defendants James L. Yost, George L. Capell, and William R. Schutt, and the response and replies filed thereto, and for the reasons set forth in the foregoing Memorandum, it is hereby ORDERED that:

1. The Motion for Partial Summary Judgment is GRANTED and JUDGMENT is ENTERED in favor of Defendants James L. Yost, George L. Capell, and William R. Schutt in their individual capacities, and against Plaintiffs, on Counts I, II, and III of Plaintiffs' Complaint;

2. The following Counts remain:

a. Counts I, II, and III of the Complaint, against Defendants James L. Yost, George L. Capell, and William R. Schutt in their official capacities, and against Defendants Plumstead Township and Plumstead Township Board of Supervisors;

b. Count V of the Complaint, against Defendants James L. Yost, George L. Capell, and William R. Schutt;

c. Counts VI-IX of the Complaint, against all Defendants.

BY THE COURT:


JAMES MCGIRR KELLY, J.

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Lepp
H. Benson
L. Thompson
C. Thompson
D. Thompson
M. Thompson
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